

Chair Anne Boyle called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Gerald Vap present. Chair Boyle invited the public to address the Commission and also announced that a copy of the Nebraska Open Meetings Act was available in the meeting room.

GENERAL ADMINISTRATION

Notice was duly published January 8, 2008 on Page 9 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held January 15, 2008 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceedings:

Tuesday, January 15, 2008:

NUSF-50 Commission Hearing Room, Lincoln.
11:00 In the Matter of the Commission, on its own motion, seeking to make adjustments to the universal service fund mechanism established in NUSF-26: Cambridge Telephone Company. Commissioner Vap presiding as Hearing Officer.

NG-0046/ Commission Hearing Room, Lincoln. Customer Service
PI-128 Workshop.
2:00 In the Matter of the Commission, on its own motion, seeking to investigate certain customer service issues and plans relating to SourceGas Distribution LLC, f/k/a Kinder Morgan, Inc., Lakewood, Colorado. Commissioner Vap presiding as Hearing Officer.

Wednesday, January 16, 2008:

10:00 Commission Hearing Room, Lincoln.
911-031.01 In the Matter of the Commission, on its own motion, seeking to establish surcharges assessed on users of prepaid wireless service and methods for the collection and remittance of surcharges from carriers offering prepaid wireless services; TracFone Wireless, Inc. Commissioner Boyle presiding as Hearing Officer.

Tuesday, January 22, 2008:

1:30 Commission Hearing Room, Lincoln.
In the Matter of the Commission, on its own motion, seeking to develop policies and process requests for access to GIS data and the GIS Repository. Commissioner Vap presiding as Hearing Officer.

911-024.05 Action Communications, Inc.
911-024.07 Viaero Wireless.
911-024.15 Great Plains GIS Partnership.

COMMUNICATIONS DEPARTMENT

C-3206 In the Matter of the Commission, on its own motion, seeking to administer the Nebraska Internet Enhancement Fund. Commissioner Johnson presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order granting an extension. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3889 In the Matter of Intellicall Operator Services, Inc., Ponte Vedra Beach, Florida, and Andiamo Telecom, LLC, Scottsdale, Arizona, seeking approval of an Asset Purchase Agreement and Transfer of Customers: Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3891 In the Matter of Norlight, Inc., Overland Park, Kansas, seeking authority to operate as an interexchange carrier of telecommunication services within the State of Nebraska: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Gene Hand informed the Commission that a letter from Qwest Corporation (Qwest) was received on December 27, 2007, asking the Commission to overturn NeuStar's denial of Qwest's request for a single thousand-block of numbers in the Oakland Rate Center to satisfy a dedicated customer request for direct-inward-dial numbers: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to send NeuStar a letter requesting them to waive the Federal Communications Commission (FCC) requirements for utilization and months to exhaust and issue a single thousands-block from the existing pool to Qwest (OCN 9631). Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3888 In the Matter of United Telephone Company of the West d/b/a Embarq, Overland Park, Kansas, seeking approval of the Interconnection, Collocation and Resale Agreement with BullsEye Telecom, Inc., Oak Park, Michigan: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order approving the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter orders granting applications E-2164 and E-2165. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

- E-2164 In the Matter of Loup River Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Boone County.
- E-2165 In the Matter of Lincoln Electric System, Lincoln, seeking authority to construct, operate and maintain an electric transmission line in Lancaster County.
- E-2160 In the Matter of South Central Public Power District, Nelson, seeking authority to construct, operate and maintain an electric transmission line in Webster County. Commissioner Rod Johnson presiding as Hearing Officer: Gene Hand informed the Commission that a Hearing Officer's order was entered on January 8, 2008, scheduling a hearing for Tuesday, January 29, 2008, at 11:00 a.m. in the Commission Hearing Room, Lincoln.

Gene Hand informed the Commission that a Telecommunications Relay Service Advisory Committee Meeting was scheduled for January 25, 2008, at 1:30 p.m. in the Commission Hearing Room, Lincoln.

- C-3796 In the Matter of Cox Nebraska Telcom, LLC, Omaha, seeking arbitration and approval of an interconnection agreement pursuant to Section 252 of the Telecommunications Act of 1996, with Qwest Corporation, Denver, Colorado. Commissioner Boyle presiding as Hearing Officer: Gene Hand informed the Commission that a Hearing Officer's order was entered January 15, 2008 scheduling oral arguments for January 22, 2008 at 10:30 a.m. in the Commission Hearing Room.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

- 911-034 In the Matter of TracFone Wireless, Incorporated, seeking a refund from the Wireless Enhanced 911 Fund. Commissioner Boyle presiding as Hearing Officer: Jeff Pursley discussed the Hearing Officer's order entered January 14, 2008, continuing the hearing previously scheduled for January 16, 2008, to a later date.

- NUSF-1,
PO #7 In the Matter of the Commission, on its own motion, seeking to establish guidelines for administration of the Nebraska Universal Service Fund: The following action was taken:

Motion made by Commissioner Landis, seconded by Commissioner Schram, to approve the issuance of a refund to Primus Telecommunications due to revised revenue figures in the auditor's reports. Motion passed with Commissioners Boyle, Johnson, Landis, Schram and Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-1, In the Matter of the Commission, on its own motion, seeking
PO #7 to establish guidelines for administration of the Nebraska
(Cont.) Universal Service Fund: The following action was taken:

Jeff Pursley discussed the audit findings and omissions of NUSF Worksheet audit from USA Mobility/Metrocall, Inc. and informed the Commission of possible action the Commission might take against the company regarding the omissions in the report. Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to accept the submitted report without administrative fines; however, the staff was instructed to inform the company they would be required to submit a 2007 Remittance Worksheet audit, due December 31, 2008. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to grant the following extensions to complete and file the NUSF worksheet audit that was due December 31, 2007. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Dark Fiber Solutions: March 31, 2008
Huntel Cablevision: January 31, 2008

NUSF-37. In the Matter of Jeffrey L. Pursley, Director, Nebraska
141 Telecommunications Infrastructure and Public Safety Department, Complainant v. NorthStar Telecom, Inc., Respondent: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order dismissing the complaint. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-37. In the Matter of Jeffrey L. Pursley, Director, Nebraska
146 Telecommunications Infrastructure and Public Safety Department, Complainant v. NobelTel, LLC, Respondent: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order dismissing the complaint. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter orders for show cause and schedule hearings in Dockets NUSF-37.106, NUSF-37.117, NUSF-37.123 and NUSF-37.134, for February 12, 2008 at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. Commissioner Schram was appointed Hearing Officer.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

- NUSF-37. In the Matter of Jeffrey L. Pursley, Director, Nebraska
106 Telecommunications Infrastructure and Public Safety
Department, Complainant v. Globalstar USA, Inc.,
Respondent: Officer.
- NUSF-37. In the Matter of Jeffrey L. Pursley, Director, Nebraska
117 Telecommunications Infrastructure and Public Safety
Department, Complainant v. LCR Telecommunications,
Respondent.
- NUSF-37. In the Matter of Jeffrey L. Pursley, Director, Nebraska
123 Telecommunications Infrastructure and Public Safety
Department, Complainant v. Gold Line Telemanagement, Inc.,
Respondent.
- NUSF-37. In the Matter of Jeffrey L. Pursley, Director, Nebraska
134 Telecommunications Infrastructure and Public Safety
Department, Complainant v. Budget Phone, Inc., Respondent.
- NUSF-73 In the Matter of the Bell Atlantic Communications, Inc.,
d/b/a Verizon Long Distance, seeking a Waiver of Telecom-
munications Rules and Regulations found at Title 291, Chapter 5,
002.01 and 002.02: Commissioner Schram was appointed as Hearing
Officer.

NATURAL GAS DEPARTMENT

- FC-1325 In the Matter of SourceGas Distribution LLC, f/k/a Kinder
Morgan, Inc. - Retail, Complainant v. Panhandle Feeders,
Inc., Defendant. Commissioner Vap presiding as Hearing Officer:
Motion made by Commissioner Vap, seconded by Commissioner Landis, to
enter an order dismissing the complaint. Motion passed with Commis-
sioners Boyle, Johnson, Landis, Schram and Vap voting AYE.
- NG-0013 In the Matter of the Commission, on its own motion, seeking
to evaluate and establish, on a quarterly basis, an asses-
sment for jurisdictional utilities pursuant to the State Natural Gas
Regulation Act [LB 790, 2003]. Commissioner Landis presiding as
Hearing Officer: Motion made by Commissioner Landis, seconded by
Commissioner Vap, to enter Progression Order No. 18. Motion passed
with Commissioners Boyle, Johnson, Landis, Schram and Vap voting AYE.
- Motion made by Commissioner Frank Landis, seconded by
Commissioner Jerry Vap, to enter Assessment Orders in Dockets FC-1327,
NG-0041 and NG-0048. Motion passed with Commissioners Anne Boyle, Rod
Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT (Cont.)

FC-1327 In the Matter of the Formal Complaint of the Nebraska
HS-005 Public Advocate, seeking a determination that Kinder Morgan, Inc. and/or its successor in interest, SourceGas Distribution, LLC improperly implemented, billed and received payment for interim and final rates in NG-0036 for which customers are entitled to a credit or refund from Kinder Morgan, Inc. and/or SourceGas Distribution, LLC.

NG-0041 In the Matter of Aquila, Inc., d/b/a Aquila Networks (Aquila),
HS-0017 Omaha, seeking individual general rate increases for Aquila's Rate Area One, Rate Area Two, and Rate Area Three.

NG-0048 In the Matter of NorthWestern Corporation, d/b/a North-
HS-005 Western Energy, Sioux Falls, South Dakota, seeking approval of a natural gas general rate increase for Nebraska.

LEGISLATIVE REPORT

Angela Melton and the Commissioners discussed the Natural Gas legislative agenda.

The Commission discussed recommendations on position and testimony regarding pending legislation. Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to break down this legislative item into two (2) bills. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT

FC-1329 In the Matter of Dwaine & Deborah Trease, d/b/a Special Moments Limousine, Clearwater, vs. Zalt, Inc., d/b/a Central Limousine, Grand Island: Shana Knutson informed the Commission that a formal complaint has been filed.

MCC-3161 In the Matter of Mark J. Breiner, Director, Motor Transportation Department, vs. Ace Moving & Storage, Des Moines, Iowa: Shana Knutson informed the Commission that a motor carrier complaint has been filed.

Rate Division

MR-930 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish a fuel surcharge in Nebraska Official Goods Tariff 7F: The fuel surcharge was decreased to 86 cents per mile.

GENERAL ADMINISTRATION

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to approve the following Commission invoices. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

ESRI	\$	673.97
Thomson West		815.00
Mark Luttich		898.75
Rod Johnson		598.84

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter into closed session to discuss litigation. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. The Commission went into closed session at 10:25 a.m.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to return to open session. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. The Commission returned to open session at 10:32 a.m.

The meeting adjourned at 10:33 a.m. with Commissioners Boyle, Johnson, Landis, Schram and Vap present. The next regularly scheduled meeting will be held on Wednesday, January 23, 2008, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on Tuesday, January 22, 2008.

Chair

Executive Director